

## *EXHIBIT H*

May 31, 2019

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RYSTA LEONA SUSMAN, BOTH  
INDIVIDUALLY AND AS LEGAL  
GUARDIAN OF SHANE ALLEN  
LOVELAND; AND JACOB SUMMERS,

Plaintiff,

vs.

CASE NO. 8:18CV127

THE GOODYEAR TIRE & RUBBER  
COMPANY,

Defendant.

DEPOSITION OF: JOSEPH L. GRANT

DATE: May 31, 2019

TIME: 9:00 a.m.

LOCATION: A. William Roberts Jr. & Associates  
6135 Park South Drive  
Charlotte, NC

TAKEN BY: Counsel for the Plaintiff

REPORTED BY: SOLANGE RUIZ-URIBE, Court Reporter

A. WILLIAM ROBERTS, JR., & ASSOCIATES  
Fast, Accurate & Friendly

Charleston, SC	Hilton Head, SC	Myrtle Beach, SC
(843) 722-8414	(843) 785-3263	(843) 839-3376

Columbia, SC	Greenville, SC	Charlotte, NC
(803) 731-5224	(864) 234-7030	(704) 573-3919

Asheville, NC  
(828) 785-5699

May 31, 2019

170 to 173

<p style="text-align: right;">Page 170</p> <p>1 selling the vehicle with tires that are that old.</p> <p>2 Q. What would these tires show from the</p> <p>3 outside if I looked at them?</p> <p>4 A. Show the DOT date.</p> <p>5 Q. But you just told me there's nothing wrong</p> <p>6 with a 20-year old tire, just in and of itself.</p> <p>7 Okay, it's 20-years old but Joe Grant said that's</p> <p>8 not a problem?</p> <p>9 A. This is unreasonable. I think any average</p> <p>10 person would say this is unreasonably old, and</p> <p>11 especially a tire professional would think this is</p> <p>12 unreasonably old from the standpoint of not knowing</p> <p>13 what the service --</p> <p>14 Q. But this age had nothing to do with this</p> <p>15 separation?</p> <p>16 A. No, it didn't.</p> <p>17 Q. Okay. Then so what, so what, I have an</p> <p>18 old tire on there, it had nothing to do with it. So</p> <p>19 what, right?</p> <p>20 A. No, no. I disagree from that standpoint.</p> <p>21 No, it was an opportunity to get these tires out of</p> <p>22 service.</p> <p>23 Q. You are kind of -- and I don't mean this</p> <p>24 disrespectful, Joe, but you're kind of talking out</p> <p>25 of both sides of your mouth, you say you should get</p>	<p style="text-align: right;">Page 172</p> <p>1 professional, whether you have a service light</p> <p>2 recommendation or not, would say this goes way to</p> <p>3 far on a set of tires that you do not know whether</p> <p>4 or not they have been perfectly maintained or not.</p> <p>5 Q. All right. For the sake of brevity we're</p> <p>6 going to move on, Joe.</p> <p>7 A. Okay.</p> <p>8 Q. Okay. Thirty-one, we already talked about</p> <p>9 that?</p> <p>10 A. Yes.</p> <p>11 Q. Thirty-two. Only small percentage of the</p> <p>12 tires remained in service for ten years. We just</p> <p>13 talked about that, didn't we?</p> <p>14 A. Yeah, if you look at the RMA scrap tire</p> <p>15 surveys and I have some other surveys that -- this</p> <p>16 is highly unusual situation. Most people the light</p> <p>17 bulb goes off at some point. Tire professionals</p> <p>18 looking at a set of tires like this and said, hey,</p> <p>19 this is way too old, I don't care --</p> <p>20 Q. Do you think Kerney Towing is a tire</p> <p>21 professional?</p> <p>22 A. They are holding themselves out -- they</p> <p>23 are doing the tire work and vehicle work primarily,</p> <p>24 you know, for Dandy Concrete and that's what was</p> <p>25 said. And they installed these tires.</p>
<p style="text-align: right;">Page 171</p> <p>1 it off and then you -- on one hand and then you told</p> <p>2 me earlier today there is nothing wrong with an old</p> <p>3 21-year old tire being on there just from age?</p> <p>4 A. Just from age, right. But if you don't</p> <p>5 know the history of the tire, you don't know what</p> <p>6 kind of latent internal things may be going on, it</p> <p>7 really is, I think any tire professional would err</p> <p>8 on the side of removing tires from service that are</p> <p>9 that old or not installing tires are that old.</p> <p>10 And these tires obviously came out of</p> <p>11 service somewhere. Somebody decided to take them</p> <p>12 out of service because of how old they were.</p> <p>13 Q. You think it's because of how old? What</p> <p>14 if it's the car blew up? What if the engine quit?</p> <p>15 A. I know, but I said one of the</p> <p>16 possibilities is that somebody took them out of</p> <p>17 service because of how old they were.</p> <p>18 Q. Are you speculating on that? I mean we</p> <p>19 talked about speculation earlier. Are you</p> <p>20 speculating on that one?</p> <p>21 A. No, I'm just saying -- no, I didn't say</p> <p>22 that's what happened, I said that's one of the</p> <p>23 possibilities.</p> <p>24 Q. Okay.</p> <p>25 A. But I do think that any reasonable tire</p>	<p style="text-align: right;">Page 173</p> <p>1 Q. But there has been nothing physical you</p> <p>2 could see on the inside or outside of these tires</p> <p>3 that says take them out of service but just because</p> <p>4 they're 21-years old and you don't have a service</p> <p>5 history, scrap them, true?</p> <p>6 A. What would you do?</p> <p>7 Q. That's not my question.</p> <p>8 A. What would any of us do in this room.</p> <p>9 Q. I don't know, Joe, is that true?</p> <p>10 A. What would any person on a jury do?</p> <p>11 MR. LYNCH: I move to strike as</p> <p>12 nonresponsive. True or not?</p> <p>13 THE WITNESS: What was the question?</p> <p>14 BY MR. LYNCH:</p> <p>15 Q. Nothing physical inside or outside of the</p> <p>16 tire that I can see that tells me to take them out</p> <p>17 but service but because they are 21-years old and I</p> <p>18 don't know the service history I need to scrap them?</p> <p>19 A. True, if you don't know what the service</p> <p>20 history is, yeah, I think any prudent person would</p> <p>21 recommend getting them out of service.</p> <p>22 One thing we didn't address on -- in</p> <p>23 31 though is then we also have the closer you get to</p> <p>24 the time of failure with the separations, with the</p> <p>25 polishing, there is definitely going to be an</p>

## 1 CERTIFICATE OF REPORTER

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

I, Solange Ruiz-Urbe, Notary Public for the State of North Carolina at Large, do hereby certify that the foregoing transcript is a true, accurate, and complete record.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal this 31st day of May, 2019 at Charlotte, Mecklenburg County, North Carolina.



Solange Ruiz-Urbe  
My Commission expires  
March 7, 2022